
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2016 No.

The Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016

PART 5

Consequential and supplemental provision

Consequential amendments

15.—(1) In section 37(1) (general interpretation) of the Local Government (Scotland) Act 1975⁽¹⁾, in the definition of “prescribed” the words “, except in paragraph 6 of Schedule 3,” are repealed.

(2) In Schedule 3 to that Act—

- (a) in paragraph 22(3) (operation of capital, renewal and repair, and insurance funds)⁽²⁾, for “advanced to the loans fund” substitute “used for any purpose for which a local authority may borrow money”;
- (b) in paragraph 25(2)(b) (repayment of fund advances)—
 - (i) the word “earlier” is repealed; and
 - (ii) the words from “within”, where it first occurs, to “period”, where it second occurs, are repealed; and
- (c) in paragraph 31 (interpretation) the definitions of “advance”, “borrowing account”, “council tax”, “council water charge”, “fixed period”, “relevant authority” and “trustee securities”⁽³⁾ are repealed.

(3) In section 33(1) of the Order in the Schedule to the Tay Road Bridge Order Confirmation Act 1991 (advances by councils to Tay Road Bridge Joint Board) ⁽⁴⁾, the words from “, in” to “1975,” are repealed.

Consequential revocations

16. The following instruments are revoked—

- (a) the Local Authority Stocks and Bonds (Scotland) Regulations 1975⁽⁵⁾;
- (b) the Local Authority Mortgages (Scotland) Regulations 1975⁽⁶⁾;
- (c) the Local Authority Stocks and Bonds (Scotland) Amendment Regulations 1984⁽⁷⁾; and

(1) 1975 c.30.

(2) Paragraph 22(3) is amended by S.S.I. 2010/122.

(3) The definitions of “council tax” and “council water charge” were inserted by paragraph 44(d) of Schedule 13 to the Local Government Finance Act 1992 (c.14). The definition of “fixed period” was amended by paragraph 36(b) of Schedule 3 to the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c.23).

(4) There are amendments to section 33 that are not relevant to these Regulations.

(5) S.I. 1975/825.

(6) S.I. 1975/827.

(7) S.I. 1984/1652.

(d) the Local Authority Stocks and Bonds (Scotland) Amendment Regulations 1991⁽⁸⁾.

Supplemental provision

17. In relation to the 2016-17 financial year the requirement in regulation 6(1) to determine authorised limits before the start of that financial year does not apply, but a local authority must determine its authorised limit for that financial year and for the 2017-18 and 2018-19 financial years no later than 30th June 2016.

⁽⁸⁾ S.I. 1991/385.